

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CLAUDIO HERNANDEZ,	:	
	:	
Plaintiff	:	CIVIL NO. 1:05-CV-01655
	:	
v.	:	(Judge Kane)
	:	
JOHN A. PALACKOVICH, et al.,	:	
	:	
Defendants	:	

ORDER

NOW, THEREFORE, THIS 14th DAY OF MAY, 2015, upon consideration of Defendants' Motions for Summary Judgment (Doc. Nos. 204, 208) and for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED THAT**:

- 1) The motions (Doc. Nos. 204, 208) are **DENIED IN PART** as follows:
 - a) Defendants are not entitled to summary judgment on the basis of Plaintiff's failure to exhaust the available administrative remedies;
 - b) Defendants are not entitled to summary judgment on the basis of Plaintiff's failure to submit expert witness testimony;
- 2) This case is hereby referred to

Chief Magistrate Judge Martin C. Carlson
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for settlement. The parties will file a status report to apprise the Court of the outcome of settlement discussions.

3) All proceedings in this case are hereby **STAYED** until further order of the Court.

S/ Yvette Kane
YVETTE KANE,
United States District Judge
United States District Court
Middle District of Pennsylvania